

### **REMARKS**

Claim 23 is rewritten, no claims are canceled or added; as a result, claims 1-32 are now pending in this application.

#### **Double Patenting Rejection**

Claims 1-13 and 20-22 were rejected under the judicially created doctrine of double patenting over claims 12-14 and 16-17 of Marr et al. (U.S. 6,751,150). Claims 14-19 were rejected under the judicially created doctrine of double patenting over claim 12 of Marr et al. in view of Prall et al. (U.S. 5,990,021). Applicant hereby files a Terminal Disclaimer to obviate this rejection. Applicant does not agree or disagree with the analysis in the Office Action. The Terminal Disclaimer is filed to move the application to allowance.

#### **Allowable Subject Matter**

Applicant acknowledges the allowance of claims 28-32.

Claims 23-27 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant herein rewrites claim 23 into independent form. This rewriting of claim 23 does not narrow the scope and is not made in response to any rejection under the Patent Act. Allowance of claims 23-27 is requested.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date

6 Oct '05

By



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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6 day of October, 2005.

Name

KACIA LEE

Signature

